

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	FROST	CONF. NO:	4573
APP. NO.:	10/572,976	GROUP NO:	1652
FILING DATE:	11/20/2006	EXAMINER:	SAIDHA
TITLE:	METHODS AND MATERIALS FOR THE PRODUCTION OF SHIKIMIC ACID		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

Applicant submits this paper in response to the final Office action mailed October 1, 2009 (the "Office action"). Concurrently herewith, Applicant submits a Notice of Appeal and a request for a three-month extension of time to respond to the Office action, along with the requisite fees. The Director is hereby authorized to charge any fees due in connection with this paper to Deposit Account No. 50-3081.

Applicant notes that in the Petition for Extension of Time filed with the Amendment and Response on July 10, 2009, the small entity status was inadvertently checked and, consequently, the three-month extension of time fee was paid in error as a small entity. Applicant submits that the status as a small entity was claimed due to a clerical error, such status was established in good faith, the fee as a small entity was paid in good faith, and it is later discovered that such status as a small entity was established in error. Pursuant to 37 CFR § 1.28(c), Applicant respectfully requests the error in small entity status be excused and authorizes payment of the deficiency owed. Specifically, the current three-month extension of time fee amount for a non-small entity is \$1,110.00. The small entity fee actually paid by Applicant for three-month extension of time on July 10, 2009 is \$555.00. The Director is hereby authorized to charge the deficiency owed in the amount \$555.00 to Deposit Account No. 50-3081. In the event Applicant is mistaken,

the Director is authorized to charge any additional fees that may be due to Deposit Account No. 50-3081.

Applicant respectfully requests entry of this Amendment and Response, in which:

- **Amendments to the Claims** begin on page 3; and
- **Remarks** begin on page 7.